

# GIBSON, DUNN & CRUTCHER LLP

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LAWYERS  
A REGISTERED LIMITED LIABILITY PARTNERSHIP  
INCLUDING PROFESSIONAL CORPORATIONS

200 Park Avenue New York, New York 10166-0193  
(212) 351-4000  
www.gibsondunn.com

APR 22 2008

**MEMO ENDORSED**

RSerio@gibsondunn.com

April 22, 2008

Direct Dial

(212) 351-3917  
Fax No.

(212) 351-5246

BY HAND

The Honorable Richard M. Berman  
United States District Court  
for the Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street - Room 650  
New York, NY 10007

4/25/08 conference vacated.	
	Client No.
	112422-00001
SO ORDERED:	
Date: 4/22/08	Richard M. Berman
	Richard M. Berman, U.S.D.J.

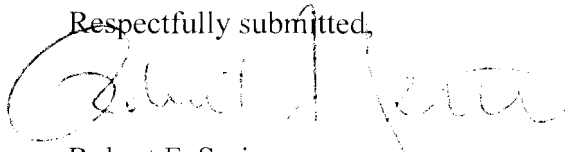
Re: *Cohen v. Bear, Stearns & Co. Inc., et al., No. 07-cv-10453 (RMB);*  
*Birn v. Cayne, No. 08-cv-00855 (RMB)*

Dear Judge Berman:

We write on behalf of all parties in the above-captioned related litigations to respectfully request an adjournment of the status conference scheduled for April 25, 2008 in the *Birn v. Cayne*, No. 08-cv-00855 matter. The April 25th status conference had been scheduled while the case was pending before Judge Stanton and prior to Your Honor's entry of the Stipulation and Order Regarding Filing of Second Amended Complaint and Briefing Schedule on April 7, 2008 in the *Cohen v. Bear, Stearns & Co. Inc., et al., No. 07-cv-10453* matter. In light of the aforementioned scheduling order, the parties respectfully submit that a status conference is no longer necessary at this time.

We thank the Court for its consideration of this matter.

Respectfully submitted,

  
Robert F. Serio

cc: All counsel of record